

ORIGINAL

FILED
DISTRICT COURT OF GUAM

DEC - 7 2007 ✓

JEANNE G. QUINATA
Clerk of Court

NESBITT_M.ref

LEONARDO M. RAPADAS
United States Attorney
MARIVIC P. DAVID
Assistant U.S. Attorney
Sirena Plaza, Suite 500
108 Hernan Cortez Avenue
Hagåtña, Guam 96910-5059
TEL: 472-7332
FAX: 472-7215

Attorney's for United States of America

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,)	MAGISTRATE CASE NO. 07-00006
)	
Plaintiff,)	
)	PETITION TO REFUND
v.)	OVERPAYMENT OF RESTITUTION
)	
MICHAEL NESBITT,)	
)	
Defendant.)	

PETITION

On June 26, 2007, Defendant MICHAEL NESBITT was sentenced, among other things, to pay a \$10.00 special assessment fee and restitution in the amount of \$50.00 to be paid jointly and severally with Rafel Nesbitt in Magistrate Case No. 07-00007. Defendant MICHAEL NESBITT paid his \$10.00 special assessment fee on August 28, 2007 (court receipt no. 0032708). Plaintiff petitions the Court to refund the overpaid portion of the restitution imposed against the Defendant:

1. The following restitution was imposed against Defendant:

<u>\$50.00</u>	Amount of joint and several restitution
<u>\$15.00</u>	Amount collected from joint and several debtor (see attachment A)
<u>\$50.00</u>	Amount collected from defendant (see attachment B)
<u>\$15.00</u>	Amount overpaid

1 2. Plaintiff respectfully requests that the Court refund the full amount of overpayment by
2 issuing a check in the amount of \$15.00 to Michael Nesbitt and mailing the check to his address
3 as provided by our office.

4 3. Plaintiff further requests that any future payments made by defendant be refunded to
5 him.

6 DATED this 7th day of December, 2007.

8 LEONARDO M. RAPADAS
9 United States Attorney
 Districts of Guam and the NMI

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11 By: 

12 MARIVIC P. DAVID
13 Assistant U.S. Attorney
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District Court of Guam Fees Report

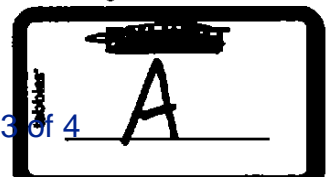
Case: MJ-07-00007

Fee(s): Assessments/Fines; CVB Special Assessment/Fine; Restitution

<u>Date</u>	<u>Receipt</u>	<u>Remitter</u>	<u>Case / Fee</u>	<u>Amount</u>
07/03/2007	0031764	Nesbitt, Rafael	MJ-07-00007: USA v. Nesbitt Party: Nesbitt, Rafael Assessments/Fines Restitution	 \$ 10.00 \$ 15.00
			Payment Type(s) Cash	 \$ 25.00

12/7/2007 1:44 pm

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District Court of Guam Fees Report

Case: MJ-07-00006

Fee(s): Assessments/Fines; CVB Special Assessment/Fine; Restitution

Date	Receipt	Remitter	Case / Fee	Amount
08/28/2007	0032697 VOIDED	Nesbitt, Michael Leon	MJ-07-00006: USA v. Nesbitt Party: Nesbitt, Michael Leon Restitution	\$ 0.00
			Payment Type(s) Cash	\$ 0.00
08/28/2007	0032708	Nesbitt, Michael Leon	MJ-07-00006: USA v. Nesbitt Party: Nesbitt, Michael Leon Assessments/Fines Restitution	\$ 10.00 \$ 5.00
			Payment Type(s) Cash	\$ 15.00
11/30/2007	0033379	Nesbitt, Michael Leon	MJ-07-00006: USA v. Nesbitt Party: Nesbitt, Michael Leon Restitution	\$ 45.00
			Payment Type(s) Cash	\$ 45.00

12/7/2007 1:15 pm

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